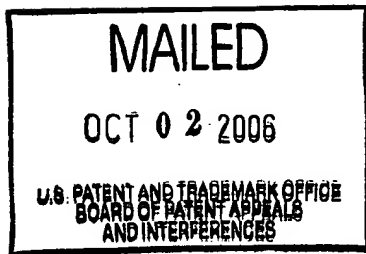


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte ROBERT J. CROWLEY

Application 09/835,063

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on September 25, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

On May 5, 2006, an Order Returning Undocketed Appeal was mailed which requested:

1. consideration of the IDS filed February 25, 2003 and appropriate notification to appellant regarding the Primary Examiner's decision; and

2. for taking corrective action regarding the appeals conference.

An examination of the Image File Wrapper (IFW) reveals that an Office Action was mailed on September 13, 2006, which stated:

This communication is in response to Board Return Order dated May 5, 2006. Below is the names and initials of the Appeal conference (4/9/04) conferees showing that an Appeal conference was held. No further response is deemed necessary by Appellant(s). This Application is being forwarded to the Board for docketing and decision.

It should be noted that while the examiner corrected the problem with the appeals conference, the concern regarding consideration of the IDS filed February 25, 2003 was not addressed. Correction is required.

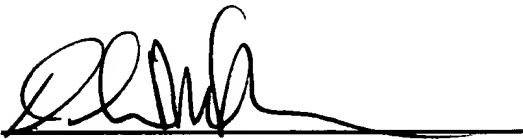
Accordingly, it is

ORDERED that the application is returned to the Examiner:

1. for consideration of the IDS filed February 25, 2003, and appropriate notification to appellant regarding the Primary Examiner's decision; and

2. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
DALE M. SHAW
Deputy Chief Appeals Administrator
(571) 272-9797

DMS:psb

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